



FAX TRANSMISSION

DATE: September 9, 2005
TO: Examiner Joanne Hama in Technology Center 1632

COMPANY: USPTO

FAX NO: 571-273-8000

FROM: RASHIDA A. KARMALI
No. of Pages: 5

MESSAGE: US Serial No 10,768350

CERTIFICATE OF FACSIMILE TRANSMISSION (37 C.F.R. 1.6)

I hereby certify that this correspondence is being filed by FACSIMILE
TRANSMISSION at 571-273-8000 addressed to: Commissioner for Patents,
P.O.Box 1450, Alexandria, VA 22313-1450.

Rashida A. Karmali
Rashida A. Karmali

Signature

September 9, 2005
Date of Signature



CUSTOMER NO. 000042131

Docket No. 170.002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Wei He and Wei Weng

Serial No: 10/768,350

Art Unit: 1632

Filed: January 30, 2004

Examiner: Joanne Hama

FOR: Genetic Modification of C57 Mice

Commissioner for Patents
Box 1450,
Alexandria, VA 22313-1450

Certification of Statement of Availability of Deposit

Sir:

Applicants made a deposit pursuant to the Budapest Treaty Deposit Form (BR/1)

- a) Of the following two cell lines, IC1 and IC2, with The American Type Culture Collection, P.O.Box 1549, Manassas, VA 20108,
- b) The Accession numbers given to the deposits are-Cell line IC1 assigned PTA-6915; and Cell Line IAC1 assigned PTA-6916,
- c) The U.S. Application Serial No 10/768,350 filed on January 30, 2004 includes Claim 1 covering the cell line IC1, Accession No PTA-6915, and Claim 2 covering the cell line IAC1, Accession No.PTA-6916.

The deposits were made under conditions which would make them available to the public as of the issue of the grant of the patent provided the request is made to the Director of Technology Center 1600.

Claims

1. (currently amended) A germline-competent black C57BL/6ES cell line from C57BL/6 mouse strain wherein said ES cell line consists of IC1.
2. (previously presented) A germline-competent white albino C57BL/6ES cell line from C57BL/6J-Tyr^{c-2J} mouse strain, wherein said ES cell line consists of IAC1.

Applicants request that this Certification become part of the Record.

September 9,2005.

Respectfully Submitted,



Rashida A. Karmali, Esq.
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CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is transmitted by Fax at 571-273-8300, under 37 C.F.R. 1.6 on September 9, 2005, addressed to: Commissioner for Patents, Alexandria, VA 22313-1450.

Rashida A. Karmali
Attorney for Applicants

Rashida A. Karmali

Signature
9/9/05

Sep 09 05 09:05a
SEP-09-2005 08:22

INGENIOUS TARGETING LAB
ATCC

631 444 6645
703 365 2745 P.01

p.1



AMERICAN TYPE CULTURE COLLECTION

10901 University Blvd.
Manassas, VA 20110-2209
Telephone: 703-365-2700
Fax: 703-365-2745

FACSIMILE

Date: September 9, 2005

To: Wei He

Fax Number: 631-444-6645

From: ATCC Patent Depository **Number of pages:** 1 (Including this page)

REFERENCE: Patent Deposit

Description: Cell line ICI assigned PTA-6915
Cell line IACI assigned PTA-6916

Date of Deposit: August 10, 2005

The ATCC Certificate of Deposit will be forwarded to you within 30 days. An invoice will be sent under separate cover as follows:

Total Fees for PTA-6915 and PTA-6916 \$ 5,000.00
(Storage/informing/visibility testing)

Marie Harris

Marie Harris, Patent Specialist

ATCC Patent Depository

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TOTAL P.01

ATCC

10891 University Blvd • Manassas, VA 20110-2209 • Telephone: 703-365-2766 • FAX: 703-365-2745

**BUDAPEST TREATY ON THE INTERNATIONAL RECOGNITION OF
THE DEPOSIT OF MICROORGANISMS FOR THE PURPOSES OF PATENT PROCEDURE**

INTERNATIONAL FORM

**RECEIPT IN THE CASE OF AN ORIGINAL DEPOSIT ISSUED PURSUANT TO RULE 7.3
AND VIABILITY STATEMENT ISSUED PURSUANT TO RULE 10.**

To: (Name and Address of Depositor or Attorney)

inGenious Targeting Laboratory, Inc.
Attn: Wei He
25 Health Sciences Drive
Suite 105
Stony Brook, NY 11790

Deposited on Behalf of: inGenious Targeting Laboratory, Inc.

Identification Reference by Depositor:

Patent Deposit Designation

Cell line ICI	PTA-6915
Cell line IACI	PTA-6916

The deposits were accompanied by: a scientific description, a proposed taxonomic description indicated above. The deposits were received August 10, 2005 by this International Depository Authority and have been accepted.

AT YOUR REQUEST: We will inform you of requests for the strains for 30 years.

The strains will be made available if a patent office signatory to the Budapest Treaty certifies one's right to receive, or if a U.S. Patent is issued citing the strains, and ATCC is instructed by the United States Patent & Trademark Office or the depositor to release said strains.

If the cultures should die or be destroyed during the effective term of the deposit, it shall be your responsibility to replace them with living cultures of the same.

The strains will be maintained for a period of at least 30 years from date of deposit, or five years after the most recent request for a sample, whichever is longer. The United States and many other countries are signatory to the Budapest Treaty.

The viability of the cultures cited above was tested September 8, 2005. On that date, the cultures were viable.

International Depository Authority: American Type Culture Collection, Manassas, VA 20110-2209 USA.

Signature of person having authority to represent ATCC:



Marie Harris, Patent Specialist, ATCC Patent Depository

Date: September 10, 2005

cc: Rashida A. Karmali